

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 1
FOR THE REGULAR MEETING OF
MONDAY, MAY 24, 2004 AT 2:00 P.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

SPECIAL ORDER OF BUSINESS

ITEM-S400: National Beach Safety and Safe Boating Weeks.

COUNCILMEMBER PETERS’ RECOMMENDATION:

Adopt the following resolution:

(R-2004-1263)

Proclaiming the week of May 22-28, 2004 to be “National Safe Boating Week” and May 24-31, 2004 to be “National Beach Safety Week” in the City of San Diego in recognition of public safety professionals and water safety awareness in our great City.

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

- * ITEM-S401: Requesting an Expedited Order for the Clean-Up of the Qualcomm Stadium Property and the Mission Valley Aquifer.

(See City Manager Report CMR-04-098 and memorandum from Councilmember Madaffer dated 3/30/2004. Mission Valley Community Area. District-6.)

TODAY'S ACTION IS:

Adopt the following resolution:

(R-2004-1242)

Authorizing the City Council to send a letter to the California Regional Water Quality Control Board, San Diego Region, urging the Board to adopt, by August 2004, a new clean-up and abatement order to Kinder Morgan Energy Partners requiring expedited clean-up of the Qualcomm Stadium property and the Mission Valley aquifer.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/12/2004, NR&C convened for discussion only. No action taken.

CITY MANAGER SUPPORTING INFORMATION:

Petroleum products have been discharged to the ground and ground water from the Mission Valley Terminal since 1986. The contamination now extends to the City-owned Qualcomm Stadium and beyond. In 1992, the Regional Water Quality Control Board issued a Clean Up and Abatement Order to Kinder Morgan Energy Partners and other potential responsible parties for this site. Kinder Morgan was ordered to propose an overall plan for remedial activity which was submitted to the Regional Board on February 3, 2004. This plan proposes various clean-up levels and clean-up milestone dates extending out to 2034.

The City of San Diego created a Working Group to evaluate the proposal, time schedules and the impacts to the City's future plans. Currently the City is planning for groundwater storage and extraction as part of a groundwater management program. The contamination must be remediated prior to 2007 in order for this project to meet its proposed time schedules. In addition, the remediation must be completed prior to any future redevelopment of the Qualcomm site.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S401: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Based on its evaluation of the proposal, the Working Group submitted a series of detailed reports and a proposed clean-up and abatement order to the Regional Board in advance of a public workshop held by Regional Board staff on May 3, 2004. At the workshop, the Working Group presented its materials and urged the adoption of an expedited clean-up order.

The Regional Board soon will be considering a new order for remediation of the site. This action will allow for a resolution of the City Council authorizing a letter to the RWQCB from the Mayor and Council requesting that the matter of a new order be heard by the Regional Board as soon as possible, but no later than August, 2004, and urging the adoption of a new clean-up and abatement order requiring clean-up on an expedited bases. The City is requesting that the remediation be expedited given that 15 years has transpired since the initial release was identified and the release continues to adversely impact significant public resources.

FISCAL IMPACT:

None with this action.

Mendes/Heap/SMC

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S402: Debarment of Southern California Underground Contractors, Inc.

(See City Manager Report CMR-04-104.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1213)

Reinstating Resolution R-294947 in its entirety, including all exhibits, and adopting the "Findings Regarding the Permanent Debarment of Southern California Underground Contractors, Inc., its divisions and organizational elements, its Affiliates, Jim Craig Jackson and George Rogers Frost" (SoCal), pursuant to San Diego Municipal Code Section 22.0801, et seq., and based upon all evidence and testimony.

* ITEM-S403: Excusing Councilmember Zucchet from the Natural Resources and Culture Committee Meeting on May 12, 2004.

COUNCILMEMBER ZUCCHET'S RECOMMENDATION:

Adopt the following resolution:

(R-2004-1265)

Excusing Councilmember Michael Zucchet from attending the regularly scheduled May 12, 2004, Natural Resources and Culture Committee meeting.